
By: **Delegates Murray, Anderson, Barkley, Benson, Costa, Haynes, Morhaim, Nathan-Pulliam, Oaks, Rudolph, Taylor, and ~~Vaughn~~ Vaughn, Hurson, Hammen, Boteler, Boutin, Bromwell, Donoghue, Elliott, Goldwater, Hubbard, Kach, Mandel, McDonough, Pendergrass, Rosenberg, Smigiel, V. Turner, and Weldon**

Introduced and read first time: February 2, 2004
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 9, 2004

CHAPTER _____

1 AN ACT concerning

2 **Minority Business Enterprise Program - Personal Net Worth**

3 FOR the purpose of altering the maximum personal net worth threshold for
4 participation in the minority business enterprise program; altering a certain
5 term; and generally relating to requirements for participation in the minority
6 business enterprise program.

7 BY repealing and reenacting, without amendments,
8 Article - State Finance and Procurement
9 Section 14-301(a)
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2003 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - State Finance and Procurement
14 Section 14-301(i)
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2003 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - State Finance and Procurement**

2 14-301.

3 (a) In this subtitle the following words have the meanings indicated.

4 (i) (1) Subject to paragraphs (2) and (3) of this subsection, "socially and
5 economically disadvantaged individual" means a citizen or lawfully admitted
6 permanent resident of the United States who is:

7 (i) in any of the following minority groups:

8 1. African American - an individual having origins in any of
9 the black racial groups of Africa;

10 2. American Indian/Native American - an individual having
11 origins in any of the original peoples of North America and who is a documented
12 member of a North American tribe, band, or otherwise has a special relationship with
13 the United States or a state through treaty, agreement, or some other form of
14 recognition. This includes an individual who claims to be an American Indian/Native
15 American and who is regarded as such by the American Indian/Native American
16 community of which the individual claims to be a part, but does not include an
17 individual of Eskimo or Aleutian origin;

18 3. Asian - an individual having origins in the Far East,
19 Southeast Asia, or the Indian subcontinent, and who is regarded as such by the
20 community of which the person claims to be a part;

21 4. Hispanic - an individual of Mexican, Puerto Rican, Cuban,
22 Central or South American, or other Spanish culture or origin, regardless of race, and
23 who is regarded as such by the community of which the person claims to be a part;

24 5. physically or mentally disabled - an individual who has an
25 impairment that substantially limits one or more major life activity, who is regarded
26 generally by the community as having such a disability, and whose disability has
27 substantially limited his or her ability to engage in competitive business; or

28 6. women - a woman, regardless of race or ethnicity, unless
29 she is also a member of an ethnic or racial minority group and elects that category in
30 lieu of the gender category; or

31 (ii) otherwise found by the certification agency to be a socially and
32 economically disadvantaged individual.

33 (2) There is a rebuttable presumption that an individual who is a
34 member of a minority group under paragraph (1)(i) of this subsection is socially and
35 economically disadvantaged.

36 (3) An individual whose personal net worth exceeds [\$750,000]
37 \$1,500,000 may not be found to be economically disadvantaged.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2004.